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Kansas Legislative Education And Research

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January 25, 2002

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Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530-0001

Dear Ms Hesse:

On behalf of KLEAR, Inc., an association of Kansas state legislators representing nearly a third of this state's current House and Senate office holders, I write today with their explicit authorization in strong support of the proposed Final Judgment to the Microsoft antitrust case offered by the U.S. Department of Justice and endorsed by nine state attorneys general.

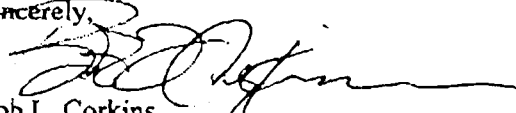
Regrettably, Kansas is not yet among the states agreeing to end their pursuit of this ill-conceived litigation. However, we will continue to press the free-market rationale for an end to this counter-productive legal course. With the direct means at our disposal, we have already severely restricted the state resources that may be devoted to its prosecution.

The rationale for ending the litigation is squarely in line with our KLEAR philosophy. We stand for the Constitutional principles of limited government, individual liberty, free enterprise and traditional family values. From its initiation forward, the antitrust action against Microsoft has been an affront to these principles that hold real hope in achieving the greatest good for the greatest number of people.

In harmony with a glut of esteemed economists and legal scholars from around the country, we consider the justification for the lawsuit to be baseless. New competitors have emerged to challenge Microsoft's well-earned dominance. Consumer have benefited greatly from reduced prices and improved products. In fact, conspicuously absent at trial and in endless media accounts of the controversy is any evidence that consumers have been harmed. To the contrary, Kansans have lost hundreds of millions of dollars as a result of the antitrust litigation. Our own pension program for government employees in this state has seen its unfunded liability mushroom as a direct product of the legal attack on Microsoft.

When we take into account such tangible negative effects, the fragile case theory, the inappropriate and counter-productive remedies imposed by Judge Jackson, and the threat to this country's core principles of liberty, our decision to support the proposed Final Judgment to this lawsuit is KLEAR-cut.

Sincerely,


Bob L. Corkins
Executive Director

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